

MINUTES OF REGULAR MEETING HELD MARCH 24, 2020

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, March 24, 2020 at 8:00 p.m.

Mayor Brindle made the following announcements:

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2019. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle Council Members, Habgood, Parmelee, LoGrippo, Katz, Mackey, Contract, Dardia, Boyes

ABSENT: None

Due to the coronavirus pandemic, the general public was not permitted to attend this meeting in person. Broadcasting of this meeting was done through Facebook Live in real time and public comment was accepted via email and read aloud. Mayor Brindle attended in person. All councilmembers participated via an audio conference call.

INVOCATION AND FLAG SALUTE

Invocation was given by Mayor Brindle followed by the flag salute.

PRESENTATIONS

Administrator's Update

- Discussed the status of the municipal budget and informed residents that the assembly would be voting on a bill tomorrow which would allow for the extension of certain deadlines, including those related to municipal budget adoption and land use applications. In addition, if this bill is adopted, it may allow municipalities to extend the grace period for property tax payments to a date specified by the Director of Local Government Services and would also authorize the Director of Government Services to extend the date for which taxes are due to the county, school district and special district. Explained that there would be more to come on this, but the State would be giving municipalities direction on these issues;
- Discussed General Ordinance No. 2169 that is scheduled for introduction this evening and explained that it authorizes an amendment to the road moratorium ordinance the Town adopted last year. Provided a summary of the amendments which include, increased fees for certain road opening permits, most of which are done by utility companies, increases the moratorium for road openings from (5) to seven (7) years to further protect roads, requires full road paving for roads within the moratorium when there are major cuts in the road, most of which are done by utility companies, and relieves some of the requirements in the ordinance related to ADA compliant ramps and sewer heads installation as they will be done by the Town. The purpose of the ordinance is to preserve newly paved roads and to ensure that they are repaved in full or in part when they need to be opened. In addition, this ordinance is scheduled for introduction tonight to ensure it is in place if the Town is able to move forward with any road paving program this year;
- Commended the efforts of Town employees throughout this pandemic, specifically the efforts of the Police Chief and the Police Department, the Health Officer and the Health Department, the Fire Department and the Department of Public Works. Stated that the “gears” of government are still in motion with only skeletal staffs. Also discussed the Recreation Department and its creation of a “Virtual Recreation Department” last week and feels they are doing a phenomenal job. Also informed residents that the National Recreation and Parks Association recognized the Recreation Department’s “Chalk the Walk” program that was held last weekend. Commended the Recreation Department’s

staff members and stated that it is another way the Town is attempting to utilize social media to engage the public while going through this crisis.

Health Officer's Update

- Informed residents of the unfortunate news that Westfield had its first COVID-19 fatality this week. Explained that the resident was ninety-one (91) years of age with several comorbidities. Feels this is a heartbreaking reminder of why it is so important to be compliant with the guidance to social distance, stay at home when sick, including not going to stores when you do not feel well, and washing hands frequently. Also stated that the number of cases in New Jersey is rising quickly and community spread is ongoing. Discussed those that are most likely to become seriously ill including people who are sixty-five (65) years of age and older, people who live in a nursing home or long-term care facility, people of any age that have heart disease, diabetes, or lung diseases, especially if these conditions are not controlled;
- Announced that Union County opened its first drive-through COVID-19 testing site at the Kean University campus in Union. This testing site is available by appointment and with a prescription only, and you must be pre-registered by your health care provider. In addition, there is now a self-assessment tool on the New Jersey Department of Health's website at self.covid19.nj.gov and a second public call center for general public COVID-19 related inquiries. Residents can now utilize the COVID-19 hotline as well as the new call center at 2-1-1. Furthermore, residents can text NJ COVID to 898-211 to stay informed via text message of statewide updates.

Mayor Brindle requested clarification of the 2-1-1 call center. Explained that she receives several inquiries a day from residents feeling symptomatic and what they should do about testing. Stated that she had been suggesting that they contact their health care provider and asked what type of guidance 2-1-1 provides.

The Health Officer explained that the 2-1-1 call center does not provide guidance on who can be tested because that is a health care provider based decision at this time, but the call center can provide information on the hours of operation of testing centers and what testing sites are open. Stated that New Jersey has two (2) FEMA testing sites, one located in Holmdel and one in Bergen County and general non-clinical inquiries are appropriate for 2-1-1.

Mayor Brindle also asked the Health Officer to further clarify the need to contact your health care provider and obtain a prescription for testing.

The Health Officer explained that while additional testing sites are opening in New Jersey, they are not open to the point where anyone who wants to be tested can be tested. Residents must be symptomatic and must be referred via prescription from their health care provider to qualify for testing.

Mayor Brindle commended the Health Officer for her efforts and reminded residents that the Health Officer serves eight (8) municipalities. Feels the work she has been doing is quite amazing and she has heard this from the Mayors of the other municipalities that are served.

The Health Officer thanked the Mayor for her comments and stated that she is not working alone, but has a whole team of employees that have been working around the clock and during the weekends to make sure work is done.

Mayor's Remarks

- Explained that in order to comply with guidelines issued by the State Department of Health, tonight's meeting would not be open to members of the public, and the entire Town Council would be participating by phone. Also referenced those in attendance tonight, including the Police Chief, the Town Administrator, the Town Clerk, the Public Information Officer, and the Health Officer. Advised residents wishing to comment during the meeting to email publiccomment@westfieldnj.gov, and to include name and address to have the comment read publicly. Also mentioned that the meeting would be replayed on the Town's YouTube channel and TV 36;
- Discussed the daily COVID-19 updates she has been issuing through the Town's Updates email list and provided information for those wishing to subscribe. Also mentioned that her comments tonight would serve as her daily COVID-19 update. Announced that, as of

today, there are 3,675 confirmed cases of COVID-19 in New Jersey, the second-highest number of state cases in the country. These include three (3) additional cases in Westfield, two (2) males (ages 48 and 20) and one female (age 41). All are managing symptoms at home and brings the official count from the Board of Health to sixteen (16) cases in Westfield.

- Recognized the Health Officer, Megan Avallone, and explained that Ms. Avallone not only oversees the Westfield Board of Health, but serves as the Regional Health Officer for eight (8) municipalities in total. Stated that the work involved in public health during a pandemic is, as an understatement, enormous, and feels Ms. Avallone's leadership, knowledge, and experience are tremendously valuable to the Town and the Town is very lucky to have her. Also stated that Ms. Avallone would be making some brief remarks in a few minutes to provide all with additional updates;
- Reminded all that the deadline to file federal and state income taxes has been extended to July 15. In addition, the state has extended the deadline to file an appeal for property taxes to May 1;
- Discussed an order the Governor signed today allowing mobile phone retail and repair shops, bicycle shops (service and repair only), livestock feed stores, nurseries and garden centers, and farming equipment stores to be open as essential retail stores;
- Discussed various announcements from the State as follows:
 - A jobs portal, <https://jobs.covid19.nj.gov>, has been launched to help residents who have lost their jobs as a result of COVID-19 to find and apply for a new job at essential workplaces;
 - Water utilities have been called on to voluntarily suspend all water shutoffs during COVID-19. Private utility providers have already voluntarily suspended shut-offs, and the expectation from the Governor is that all providers will follow suit.
 - The State has applied for the available federal waiver to cancel all student standardized testing scheduled for April, with an expectation that the waiver will be granted and that it will not impact the graduation requirements of any student;
 - The American Red Cross faces a severe blood shortage due to an unprecedented number of blood drive cancellations during the coronavirus outbreak. Eligible and healthy donors are strongly urged to make an appointment to provide lifesaving blood products to patients. For more information visit: redcrossblood.org.
- Announced that the Police Department has set up a collection bin for unused N95 masks in their entry vestibule. Explained that these masks often come in packages of three (3) or more and asked that residents to check if they have any leftover from a home renovation project to donate. All donations the Town receives would be provided to first responders and the medical staff at Overlook;
- Reminded residents that the Conservation Center is closed at this time, but the Town is in the process of working on a plan that may allow it to open in a way that protects both residents and DPW employees. Also stated that DPW is now working staggered shifts for business continuity planning purposes, which means that there is only half the manpower at any given time and limits some of the work that can be performed. They continue to work on daily operations such as potholes, tree plantings and last week they assisted the Police Department with transporting and set up of concrete barriers for the Union County COVID-19 testing site at Kean. As the Town works through the safest way to possibly operate the Conservation Center, operating hours scheduled for this Saturday are cancelled, and plans to open in the near future will be communicated;
- Discussed social distancing and the Governor's stay at home order and informed residents that every day she receives multiple messages from concerned residents about groups of kids congregating around Town, neighborhood gatherings, and exercise classes being held in the park. Explained that the stay at home order means that all should stay at home. While the parks remain open for now, they will be closed if a point is reached when the risks outweigh the benefits to the community. Stated that playgrounds and fields for organized play are closed, and the Board of Education also closed their recreational facilities, including Kehler Field. Also stated that while tennis courts remain open, they should be used for singles only and not for pickleball;
- Informed residents that today the State Health Commissioner announced that thirty-five (35%) percent of the cases in New Jersey fall into the 30-49 age group, with twenty-four (24%) percent of those requiring hospitalization. Furthermore, it takes up to two (2)

weeks for people to show signs of illness. Stated that she understands that the stay at home order is difficult, but it is essential to “flatten the curve”;

- Discussed those needing to grocery shop and requested that residents limit trips to as few as possible to mitigate crowding. Explained that a daily trip to the store is not essential and violates the Governor’s stay at home order;
- Urged residents not to flush wipes of any kind, even those labeled flushable. Explained that over the last three (3) nights, the DPW, which is working with scaled back crews, had to address six (6) separate residential sanitary sewer backups that unnecessarily cost the Town overtime. Explained that as the Police Department should not have to patrol for social distancing measures, DPW should not be put in the position of using their limited resources to address wholly avoidable and costly issues like these;
- Discussed those willing to help through this crisis and feels that part of what makes Westfield a community is not only the prioritized public health response to this pandemic, but how everyone helps each other move forward. Stated that she is heartened by the suggestions and the “raised hands” she has been seeing day after day, which she feels really represents the very best of Westfield. Stated that the Town is continuing to build upon its Virtual Recreation Department. In addition, there are efforts of the Senior Advisory Council to keep the senior citizen population informed and provided with services to assist them, as well as the #WeLoveLocal fundraising effort to assist independently owned businesses. In addition, she continues to hear about other community building efforts that are happening organically, such as cheering nightly at 8:00 pm for medical professionals, spirited displays of chalk art or window displays by kids, food donations to first responders, and more. Asked residents to continue sharing this information with the Town by tagging both the Town and the Mayor’s social media accounts so that the word of all of these efforts can be spread. Also welcomed residents with suggestions for the next Facebook Live porch performance to let her know. Feels activities like these that bring people together is more important than ever;
- In closing, thanked Town employees, who have shown flexibility and resilience in continuing to conduct the daily tasks of Town operations from a largely virtual workplace set up. Secondly, thanked the members of the Town Council for their hard work and commitment to being reliable liaisons to residents and businesses in addressing questions and building solutions. Lastly, thanked the Westfield community, its residents, business owners, and commercial property owners, and community organization leaders. Feels Westfield is lucky to have a community that is so engaged, concerned, and willing to help. Explained that, as per the experts, this crisis is going to get worse before it gets better. This statement is not intended to scare people, but to be realistic about how the Town moves forward balancing the municipal business at hand against the scale of an unprecedented situation. Feels confident from what she has seen so far that Westfield is able to get through this as a community.

APPOINTMENTS

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2160

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REQUIRE NOTIFICATION TO THE DOWNTOWN WESTFIELD CORPORATION OF BUILDING PERMIT AND DEVELOPMENT APPLICATIONS”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2168

“AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO ESTABLISH THE HUMAN RELATIONS ADVISORY COMMISSION FOR THE TOWN OF WESTFIELD”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, “GENERAL ORDINANCE NO. 2160 - AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REQUIRE NOTIFICATION TO THE DOWNTOWN WESTFIELD CORPORATION OF BUILDING PERMIT AND DEVELOPMENT APPLICATIONS” by Councilwoman Mackey, seconded by Councilman Dardia, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays:	Absent:
Parmelee		
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

An ordinance entitled, “GENERAL ORDINANCE NO. 2168 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO ESTABLISH THE HUMAN RELATIONS ADVISORY COMMISSION FOR THE TOWN OF WESTFIELD” by Councilwoman Mackey, seconded by Councilwoman Habgood, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays:	Absent:
Parmelee		
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

BIDS**MINUTES**

On a motion by Councilman LoGrippo and seconded by Councilman Dardia, Council approved the Minutes of the Town Council Conference Session and Regular Meeting held March 10, 2020.

PETITIONS AND COMMUNICATIONS**OPEN DISCUSSION BY CITIZENS**

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Hearing no comments, Mayor Brindle closed this portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman LoGrippo, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$202,918.53 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee
The following resolutions, introduced by Councilwoman Habgood, and seconded by Councilman Katz, were unanimously adopted.

Resolution No. 82
RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Thomas Jasina 2 Lambert Circle Westfield, NJ 07090	T-05 – 600-071 Tennis/Rec	Daddy Daughter Dance Refund – 2 Participants Thomas Jasina (\$55) Ava Jasina (\$55) Portrait Mailed Fee (\$3.00)	\$113.00
Francini Salas 27 Plymouth Road Westfield, NJ 07090	T-05 -600 - 071 Tennis/Rec	Daddy Daughter Dance Refund – 2 Participants John Scrofani (\$55) Mia Scrofani (\$55)	\$110.00
Kuo-Chang Lu 126 Wyoming Street Westfield, NJ 07090	#195 Membership Refund/Pool 03-55-920-202	Pool Membership 2020 Refund - Resident Family of 4 or less (Kuo-Chang Lu, Alexander Lu, Brian Lu, Chun Cheng)	\$420.00
Brett Sussman 236 Brightwood Ave Westfield, NJ 07090	T- 05-600-071 Tennis/Rec	Spring Tennis Refund-Hot Shots/Sat 9:30 am Jillian Sussman	\$77.00

Resolution No. 83
RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

Ludwig H. Adams 852 Ramapo Way Westfield, NJ 07090	South Side RR Stn/Lot 3	#20030305	\$580.00
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Resolution No. 84
WHEREAS, Annmarie Switzer, Tax Assessor, has announced that she will be retiring from her position after twenty-eight years of service to the Town of Westfield; and

WHEREAS, the Town Code of the Town of Westfield Section 2-78 requires that appointment of the Tax Assessor shall be made by the Mayor and Town Council; and

WHEREAS, N.J.S.A., 40A:9-148 states that the term of office shall be for four years beginning on July 1; and

WHEREAS, N.J.S.A., 40A:9-148 states that the position of Tax Assessor shall require that the person who holds that position shall be certified; and

WHEREAS, Neil Rubenstein, holds the required State certification.

NOW THEREFORE, BE IT RESOLVED that Neil Rubenstein be appointed Acting Tax Assessor for a period effective March 30, 2020 through June 30, 2020; and

BE IT FURTHER RESOLVED that Neil Rubenstein be and hereby is appointed the
Town of Westfield Tax Assessor for a four (4) year term commencing July 1, 2020 to
June 30, 2024 in accordance with N.J.S.A. 40A:9-146

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman
Boyes was adopted by the following roll call vote:

Resolution No. 85
RESOLVED that the Chief Financial Officer be and he is hereby authorized to make the
following transfer(s) in the 2019 Budget (Appropriation Reserve) accounts:

	<u>OUT</u>	<u>IN</u>
<u>CURRENT FUND</u>		
FIRE		
9-01-125-231 (Other Expenses)	4,300	
 GASOLINE		
9-01-171-211 (O/E)	1,200	
 POLICE		
9-01-130-101 Salaries and Wages (S&W)		300
9-01-137-246 (O/E)		5,200
	<hr/> \$5,500	<hr/> \$5,500

Yeas: Habgood	Nays:	Absent:
Parmalee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

General Ordinance No. 2169
Regarding the following ordinance, Councilwoman Mackey made the following announcement:
I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2169- AN
ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF
WESTFIELD REGARDING ROAD OPENINGS AND STREET PAVING”

The motion was seconded by Councilwoman Habgood

Yeas: Habgood	Nays:	Absent:
Parmalee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2169 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 14th day of April 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Works Committee

The following resolution, introduced by Councilman Contract, Chairman of the Public Works Committee and seconded by Councilman Dardia, was unanimously adopted.

Resolution No. 86

WHEREAS, the Town has identified a need to survey and delineate the limit of classified wetlands within a portion of Tamaques Park, then file an application with the New Jersey Department of Environmental Protection to obtain a Letter of Interpretation for these wetlands, and

WHEREAS, proposals were received on February 28, 2020 from eleven companies to provide the professional services necessary to address the aforementioned scope of services, and

WHEREAS, the Town Engineer has reviewed the Proposals and recommends that a professional services contract for the aforementioned services as outlined in the Proposal dated February 28, 2020, be awarded to LAN Associates, 445 Godwin Avenue, Suite 9, Midland Park, NJ, 07432, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to the Park Improvement Fund, T-05-600-076, under Purchase Order #20-00935.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional engineering services required for the survey and delineate the limit of classified wetlands within a portion of Tamaques Park be awarded to LAN Associates, 445 Godwin Avenue, Suite 9, Midland Park, NJ 07432 in an amount not to exceed \$15,000.00.

ADVERTISED HEARINGS (continued)

Due to technical difficulties that were experienced with livestreaming of the meeting, advertised hearings were reopened for public comment and rebroadcasted on Facebook Live in real time.

GENERAL ORDINANCE NO. 2160

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REQUIRE NOTIFICATION TO THE DOWNTOWN WESTFIELD CORPORATION OF BUILDING PERMIT AND DEVELOPMENT APPLICATIONS"

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2168

“AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO ESTABLISH THE HUMAN RELATIONS ADVISORY COMMISSION FOR THE TOWN OF WESTFIELD”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS (continued)

Due to technical difficulties that were experienced with livestreaming of the meeting, pending business was repeated and rebroadcasted on Facebook Live in real time.

An ordinance entitled, “GENERAL ORDINANCE NO. 2160 - AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REQUIRE NOTIFICATION TO THE DOWNTOWN WESTFIELD CORPORATION OF BUILDING PERMIT AND DEVELOPMENT APPLICATIONS” by Councilwoman Mackey, seconded by Councilman Katz, was taken up, read and passed by the following vote of all present upon roll call as follows:

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Yeas: Habgood	Nays:	Absent:
Parmelee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

OPEN DISCUSSION BY CITIZENS

Due to technical difficulties that were experienced with livestreaming of the meeting, Mayor Brindle **reopened** the public comments portion of the meeting and asked if there were any questions or comments. This portion of the meeting was rebroadcasted on Facebook Live in real time.

Tom Long, 516 Dorian Place, asked that the Town close Tamaques Park.

Mayor Brindle referred to her opening remarks in which she indicated that the parks remain open for now but would be closed if a point is reached in which the risks outweigh the benefits to the community.

Hearing no further comments, Mayor Brindle closed this portion of the meeting.

ADJOURNMENT

A motion to adjourn, made by Councilman Contract and seconded by Councilwoman Habgood at 9:00 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk